

Message Text

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ORIGIN ACDA-02

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66011
DRAFTED BY ACDA/IR:NWALDROP
APPROVED BY ACDA/IR:CCFLOWERREE
EUR/SOV:JGLASSMAN
PM/DCA:HPHLEPS

-----191235 111588 /22

R 182228Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW
AMEMBASSY STOCKHOLM
AMEMBASSY LONDON

C O N F I D E N T I A L STATE 038174

FOLLOWING REPEAT GENEVA 1148 ACTION SECSTATE 16 FEB 77

QUOTE

C O N F I D E N T I A L GENEVA 1148
E.O. 11652: GDS
TAGS: PARM, US, CCD, SW
SUBJ: CCD: SWEDISH DRAFT COMPREHENSIVE TEST BAN TREATY

1. SWEDISH ALTERNATE CCD REP (HAMILTON) CALLED ON
US REP (SLOSS), IN LATTER'S CAPACITY AS ACTING DIRECTOR
OF ACDA, TO PROVIDE TEXT OF SWEDISH DRAFT CTB TREATY ON
STRICTLY CONFIDENTIAL BASIS. HAMILTON SAID THAT SOVIETS
(ISRAELYAN) ALSO WERE BEING GIVEN TEXT IN MOSCOW, BUT NOT
IN GENEVA. SWEDES PLAN TO TABLE TEXT IN CCD IN EARLY
MARCH AND WOULD WELCOME US REACTION.

2. DEPARTMENT MAY WISH TO REPEAT THIS MESSAGE TO MOSCOW AND
STOCKHOLM, AND MAY WISH TO CONSIDER PASSING DRAFT TEXT TO BRITISH
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IN WASHINGTON WITH CONDITION THAT THEY NOT RPT NOT INFORM
SWEDES AND TREAT IT CONFIDENTIALLY.

3. TEXT OF SWEDISH DRAFT TREATY AND PROTOCOL II FOLLOWS:

BEGIN TEXT:
TREATY BANNING NUCLEAR WEAPON TESTS IN ALL ENVIRONMENTS

THE STATES CONCLUDING THIS TREATY, HEREINAFTER REFERRED TO
AS THE "PARTIES TO THE TREATY",

DECLARING THEIR INTENTION TO ACHIEVE AT THE EARLIEST POSSIBLE DATE THE CESSATION OF THE NUCLEAR ARMS RACE AND TO UNDERTAKE EFFECTIVE MEASURES IN THE DIRECTION OF NUCLEAR DISARMAMENT,

URGING THE CO-OPERATION OF ALL STATES IN THE ATTAINMENT OF THIS OBJECTIVE,

HAVE AGREED AS FOLLOWS:

ARTICLE I

1. EACH PARTY TO THIS TREATY UNDERTAKES NOT TO CARRY OUT ANY NUCLEAR WEAPON TEST EXPLOSION, OR ANY OTHER EXPLOSION OF A NUCLEAR DEVICE, IN ANY ENVIRONMENT,
 2. EACH PARTY TO THIS TREATY UNDERTAKES, FURTHERMORE, TO REFRAIN FROM CAUSING, ENCOURAGING OR IN ANY WAY PARTICIPATING IN THE CARRYING OUT OF ANY NUCLEAR WEAPON TEST EXPLOSION OR OF ANY OTHER EXPLOSION OF A NUCLEAR DEVICE.
 3. EACH PARTY TO THIS TREATY UNDERTAKES TO TAKE ANY MEASURES IT CONSIDERS NECESSARY IN ACCORDANCE WITH ITS CONSTITUTIONAL PROCESS TO PROHIBIT AND PREVENT ANY ACTIVITY IN VIOLATION OF THE PROVISIONS OF THE TREATY ANYWHERE UNDER ITS JURISDICTION OR CONTROL.
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4. AS REGARDS THE PERIOD ENDING ON THE PROVISIONS OF PROTOCOL I ANNEXED TO THIS TREATY SHALL BE APPLICABLE TO THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS.

OPTIONAL PROVISION FOR TRANSITIONAL ARRANGEMENT -
IF NEEDED - ANOTHER ALTERNATIVE IS FOUND IN
ARTICLE VII PARA 4).

ARTICLE II

THE PROVISIONS OF ARTICLE I OF THIS TREATY DO NOT APPLY TO THOSE NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES WHICH MIGHT BE CARRIED OUT UNDER INTERNATIONAL SUPERVISION AND CONTROL IN CONFORMITY WITH PROTOCOL II ANNEXED TO THIS TREATY.

ARTICLE III

1. EACH PARTY TO THIS TREATY UNDERTAKES TO CO-OPERATE IN GOOD FAITH TO ENSURE THE FULL OBSERVANCE AND IMPLEMENTATION OF THIS TREATY.
2. EACH PARTY TO THIS TREATY UNDERTAKES TO CO-OPERATE IN GOOD FAITH IN AN EFFECTIVE INTERNATIONAL EXCHANGE OF SEISMOLOGICAL

DATA IN ORDER TO FACILITATE THE DETECTION, IDENTIFICATION
AND LOCATION OF UNDERGROUND EVENTS.

3. EACH PARTY TO THIS TREATY UNDERTAKES TO CO-OPERATE IN GOOD
FAITH FOR THE CLARIFICATION OF ALL EVENTS PERTAINING TO THE
SUBJECT MATTER OF THIS TREATY. IN ACCORDANCE WITH THIS
PROVISION, EACH PARTY TO THE TREATY IS ENTITLED:

A. TO MAKE INQUIRIES AND TO RECEIVE INFORMATION AS A
RESULT OF SUCH INQUIRIES,

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B. TO INVITE INSPECTION ON ITS TERRITORY OR TERRITORY UNDER
ITS JURISDICTION, SUCH INSPECTION TO BE CARRIED OUT IN THE
MANNER PRESCRIBED BY THE INVITING PARTY,

C. TO MAKE PROPOSALS, IF IT DEEMS THE INFORMATION AVAILABLE
OR MADE AVAILABLE TO IT UNDER ALL OR ANY OF THE PRECEDING
PROVISIONS INADEQUATE, AS TO SUITABLE METHODS OF CLARIFICATION

4. FOR THE PURPOSE SET FORTH IN PARAGRAPH 3 OF THIS ARTICLE,
THE PARTIES TO THE TREATY MAY INCLUDE THE SERVICES OF A CON-
SULTATIVE COMMITTEE. THE DEPOSITARY SHALL WITHIN ONE MONTH
OF THE RECEIPT OF A REQUEST FROM ANY PARTY CONVENE THE
COMMITTEE. ANY PARTY MAY APPOINT A MEMBER OF THIS COMMITTEE
WHOSE FUNCTIONS AND RULES OF PROCEDURES ARE SET OUT IN
PROTOCOL IV ANNEXED TO THIS TREATY.

5. IF AFTER CONSULTATION AND CO-OPERATION PURSUANT TO THIS
ARTICLE THERE REMAINS A SERIOUS QUESTION CONCERNING THE FUL-
FILLMENT OF THE OBLIGATIONS ASSUMED UNDER THIS TREATY, A
PARTY MAY, IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER
OF THE UNITED NATIONS, BRING THE MATTER TO THE ATTENTION OF
THE SECURITY COUNCIL AND OTHER PARTIES TO THE TREATY.

ARTICLE IV

THE PROTOCOLS ANNEXED TO THIS TREATY CONSTITUTE AN INTEGRAL
PART OF THE TREATY.

ARTICLE V

ANY PARTY MAY PROPOSE AMENDMENTS TO THIS TREATY. AMENDMENTS
SHALL ENTER INTO FORCE OFR EACH PARTY ACCEPTING THE AMENDMENTS
UPON THEIR ACCEPTANCE BY A MAJORITY OF THE PARTIES TO THE
TREATY AND THEREAFTER FOR EACH REMAINING PARTY ON THE DATE OF
ACCEPTANCE BY IT.

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ARTICLE VI

FIVE YEARS AFTER THE ENTRY INTO FORCE OF THIS TREATY, A CONFERENCE OF PARTIES TO THE TREATY SHALL BE HELD IN GENEVA, SWITZERLAND, IN ORDER TO REVIEW THE OPERATION OF THIS TREATY WITH A VIEW TO ASSURING THAT THE PURPOSES AND THE PROVISIONS OF THE TREATY ARE BEING REALIZED. THE REVIEW CONFERENCE SHALL DETERMINE IN ACCORDANCE WITH THE VIEWS OF A MAJORITY OF THOSE PARTIES ATTENDING WHETHER AND WHEN ADDITIONAL REVIEW CONFERENCES SHALL BE CONVENED.

ARTICLE VII

1. THIS TREATY SHALL BE OPEN TO ALL STATES FOR SIGNATURE. ANY STATE WHICH DOES NOT SIGN THE TREATY BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH PARAGRAPH 3 OF THIS ARTICLE MAY ACCEDE TO IT AT ANY TIME.

2. THIS TREATY SHALL BE SUBJECT TO RATIFICATION BY SIGNATORY STATES. INSTRUMENTS OF RATIFICATION AND INSTRUMENTS OF ACCESSION SHALL BE DEPOSITED WITH THE SECRETARY-GENERAL OF THE UNITED NATIONS, WHO SHALL BE THE DEPOSITARY OF THIS TREATY,

3. THIS TREATY SHALL ENTER INTO FORCE UPON THE DEPOSIT WITH THE DEPOSITARY OF INSTRUMENTS OF RATIFICATION BY GOVERNMENTS INCLUDING THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS.

4. PENDING THE ENTRY INTO FORCE OF THIS TREATY THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS UNDERTAKE TO APPLY THE PROVISIONS OF PROTOCOL I AS FROM THE DATE ON WHICH THIS TREATY HAS BEEN SIGNED BY THESE TWO GOVERNMENTS

(FOLLOWING SUBPARAS WOULD BE RENUMBERED ACCORDINGLY IF THE ABOVE PROVISION WERE TO BE INSERTED)
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OPTIONAL PROVISION FOR TRANSITIONAL ARRANGEMENT IF NEEDED - ANOTHER ALTERNATIVE IS FOUND IN ARTICLE I PARA 4)

4. FOR THOSE STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED AFTER THE ENTRY INTO FORCE OF THIS TREATY IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

5. THE DEPOSITARY SHALL PROMPTLY INFORM ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR OF ACCESSION AND THE DATE OF THE ENTRY INTO FORCE OF THIS TREATY AND OF ANY AMENDMENTS THERETO, EACH NOTICE OF WITHDRAWAL, AS WELL

AS OF THE RECEIPT OF OTHER NOTICES. HE SHALL ALSO INFORM THE SECURITY COUNCIL OF THE UNITED NATIONS OF ANY NOTICE OF WITHDRAWAL.

6. THIS TREATY SHALL BE REGISTERED BY THE DEPOSITARY IN ACCORDANCE WITH ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

ARTICLE VIII

THIS TREATY SHALL BE OF UNLIMITED DURATION. EACH PARTY SHALL IN EXERCISING ITS NATIONAL SOVEREIGNTY HAVE THE RIGHT TO WITHDRAW FROM THE TREATY, IF IT DECIDES THAT EXTRAORDINARY EVENTS, RELATED TO THE SUBJECT MATTER OF THIS TREATY, HAVE JEOPARDIZED THE SUPREME INTERESTS OF ITS COUNTRY. IT SHALL GIVE NOTICE OF SUCH WITHDRAWAL THREE MONTHS IN ADVANCE. SUCH NOTICE SHALL INCLUDE A STATEMENT OF THE EXTRAORDINARY EVENTS IT REGARDS AS HAVING JEOPARDIZED ITS SUPREME INTERESTS.

ARTICLE IX

IF THIS TREATY HAS NOT BEEN ADHERED TO BY ALL NUCLEAR-WEAPON STATES X YEARS AFTER ITS ENTRY INTO FORCE, EACH PARTY SHALL CONFIDENTIAL

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BY GIVING NOTICE TO THE DEPOSITARY HAVE THE RIGHT TO WITHDRAW FROM THE TREATY WITH IMMEDIATE EFFECT.

ARTICLE X

THE TREATY, OF WHICH THE ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN, AND SPANISH TEXTS ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED WITH THE SECRETARY-GENERAL OF THE UNITED NATIONS WHO SHALL SEND CERTIFIED COPIES THEREOF TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEDING STATES.

IN WITNESS WHEREOF, THE UNDERSIGNED, DULY AUTHORIZED THERETO, HAVE SIGNED THIS TREATY.

DONE AT ON

PROTOCOL I - BLAND

PROTOCOL II

TO BE NEGOTIATED. FOLLOWING GUIDELINES SUGGESTED.

SHOULD A NEED ARISE FOR A PARTY TO THE TREATY TO CARRY OUT A PROJECT INVOLVING ONE OR SEVERAL NUCLEAR EXPLOSIONS FOR A PEACEFUL PURPOSE OF OVERRIDING NATIONAL OR INTERNATIONAL IMPORTANCE, THE PARTY IN QUESTION SHALL BE OBLIGED TO SUBMIT THE PROJECT TO STRICT INTERNATIONAL SUPERVISION AND CONTROL ACCORDING TO PROCEDURES AGREED UPON BY THE PARTIES. THESE

PROCEDURES SHOULD TAKE INTO ACCOUNT THE RIGHTS OF NON-NUCLEAR-
WEAPON STATES ACCORDING TO THE PROVISIONS OF ARTICLE V OF OF THE
TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS.

END TEXT.

CATTO.

UNQUOTE HARTMAN.

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, LIMITED TEST BAN TREATY
Control Number: n/a
Copy: SINGLE
Sent Date: 18-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE038174
Document Source: ADS
Document Unique ID: 00
Drafter: ACDA/IR:NWALDROP
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Expiration:
Film Number: D770060-0327
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From: STATE
Handling Restrictions: n/a
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Secure: OPEN
Status: <DBA CORRECTED> jms 971001
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TAGS: PARM, SW, US, CCD
To: MOSCOW STOCKHOLM MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/184e1fbf-c288-dd11-92da-001cc4696bcc
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